

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

KIRAN C. PATEL, M.D.)	
)	
Plaintiff,)	
)	
v.)	Case No. 11-CV-01147-LSC
)	
SUPERIOR BANCORP, et al.,)	
)	
Defendants.)	
)	
)	

PLAINTIFF'S NOTICE OF VOLUNTARY DISMISSAL

Comes now the Plaintiff, Kiran C. Patel, M.D., and pursuant to Federal Rules of Civil Procedure 41(a)(1), voluntarily dismisses this action.

Dated: January 19, 2012.

Respectfully Submitted:

/s/ Peter H. Burke

Peter H. Burke
Attorneys for Plaintiff

OF COUNSEL:

Peter H. Burke, Esq.
BURKE HARVEY & FRANKOWSKI, LLC
2151 Highland Avenue, Suite 120
Birmingham, Alabama 35205
Phone: 205-930-9091
Fax: 205-930-9054
E-mail: pburke@bhfllegal.com

Jeffrey Schreiber, Esq.
MEISTER SEELIG & FEIN LLP
2 G Auer Court
Williamsburg Commons
East Brunswick, New Jersey 08816
(732) 432-0073 (NJ)
(732) 432-4282 (NJ fax)

2 Grand Central Tower
140 E. 45th St., 19th FL
New York, NY 10017
(212) 655-3500 (NY)
(212) 655-3554 (NY direct)
(212) 655-3535 (NY fax)

CERTIFICATE OF SERVICE

I hereby certify that I have on this the 19th day of January, 2012 served the foregoing on the following counsel of record by CM/ECF and/or by U.S. Mail, postage prepaid and properly addressed to:

Aaron G. McLeod
Stephen A. Rowe
ADAMS AND REESE LLP
2100 Third Avenue North, Suite 1100
Birmingham, AL 35203-3367
Attorneys for FDIC as Receiver for Superior Bank

Randall D. Quarles
Frances P. Quarles
QUARLES LAW FIRM, LLC
P.O. Box 1567
Birmingham, AL 35201-1567
Attorneys for Defendant Superior Bancorp

Larry B. Childs
William C. Athanas
Chris A. Driskill
WALLER LANSDEN DORTCH & DAVIS LLP
1901 Sixth Avenue North, Suite 1400
Birmingham, Al 35203
Attorney for Individual Defendants

/s/ Peter H. Burke
Peter H. Burke